

UNITED STATES DISTRICT COURT OF THE SOUTHERN DISTRICT
STATE OF NEW YORKCASE # 07-CIV7529
Date of Filing 8/24/07TRUSTEES OF THE BRICKLAYERS AND ALLIED CRAFTWORKERS,
LOCAL 5 NEW YORK RETIREMENT, WELFARE, LABOR MANAGEMENT
COALITION and APPRENTICE TRAINING AND JOURNEYMEN UPGRADING
FUNDS, and BRICKLAYERS AND ALLIED CRAFTWORKERS LOCAL 5 NEW YORK

against
CARMODY INC ET AL
Defendant

**AFFIDAVIT OF
SERVICE**

STATE OF NEW YORK, COUNTY OF WESTCHESTER ss: SHIRLEY BEYER The undersigned, being duly sworn, deposes and says;
 Deponent is not a party herein, is over 18 years of age and resides in the STATE OF NEW YORK
 That on SEPTEMBER 8 2007 at 4:05PM., at 442 ARMONK ROAD, MT KISCO, NY 10549
 Deponent served the within

**SUMMONS AND COMPLAINT, JUDGE'S INDIVIDUAL RULES, USDC/SDNY INSTRUCTIONS
FOR FILING AN ELECTRONIC CASE OR APPEAL, USDC/SDNY PROCEDURES FOR
ELECTRONIC CASE FILING AND USDC/SDNY GUIDELINES FOR ELECTRONIC CASE FILING**

Papers served had endorsed thereon index # and date of filing

On BIAGIO CANTISANI

Individual by delivering a true copy of each to said defendant personally, deponent knew the person so served to be the person described as said defendant therein.

Corporation Religious Entity Government Entity Law Office Medical Facility Partnership Other

by delivering thereat a true copy of each to .

Said individual stated she/he is a managing/authorized agent of the corporation, thereof, authorized to accept legal process.

Suitable Age Person by delivering thereat a true copy of each to a person of suitable age and discretion.
 Said premises is recipient's actual place of business dwelling place usual place of abode last known address within the state. Person spoken to verified that defendant actually resides/is employed at these premises.

Affixing To Door by affixing a true copy of each to the door of said premises, which is recipient's actual place of business dwelling place
 last known address---within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there: Address Confirmed by JOHN DOE NEIGHBOR AND GARDENER ON PREMISES

9/4/07 @ 9:30PM 9/6/07 @ 6:45AM
 9/5/07 @ 12:30PM 9/7/07 @ 8:05PM

Mailing On 9/10/07 deponent enclosed a copy of same in first class envelope properly addressed to recipient's last known

Residence Business at: 442 ARMONK ROAD, MT KISCO, NY 10549

The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

The envelope was placed in an official depository under the exclusive care and custody of the U.S. Postal Service.

<input checked="" type="checkbox"/> Description	<input type="checkbox"/> Male	<input type="checkbox"/> White Skin	<input type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
	<input type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
		<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input type="checkbox"/> 5'4"-5'8"	<input type="checkbox"/> 131-160 Lbs.
		<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
		<input type="checkbox"/> White/Hispanic	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.
				<input type="checkbox"/> Bald			

Other identifying features:

Fees At the time of said service, deponent paid (tendered) in advance \$ the authorized traveling expenses and one day's witness fee.

Military Defendant in the above entitled action. In response to my questions said person told me that the Defendant was not in the military service or financially dependant upon anyone who is in the military service of the United States of America or of the State of New York in any capacity. From the facts above set forth, I am convinced that the said Defendant is not in the military service at the present time.

ELLEN EAKLEY
 Notary Public, State of New York
 No. 01EA5085889

Qualified in Westchester County

Commission Expires Sept. 29, 2009

Sworn to before me on

September 10, 2007


 SHIRLEY BEYER